

REMARKS/ARGUMENTS

Applicant has reviewed and considered the Office Action dated October 24, 2003 and the references cited therein. In response thereto, claims 1, 3-4, 7-17, 19-20, 23-26, and 32-33 are amended. Claims 1-36 are pending in the present application.

Rejection under 35 U.S.C. §102

Claims 1-36 were rejected under 35 U.S.C. § 102(e) as being anticipated by Joao (U.S. Patent No. 6,347,302). Applicant respectfully traverses the rejection in light of the above amendments and at least the following reasons.

Claim 1 now recites a method for tracking usage information for equipment, which comprises the steps of electronically periodically soliciting from a client personal usage information and business usage information for the equipment; electronically periodically receiving and storing in a server the personal usage information and business usage information for the equipment; compiling total usage information; and generating a report for a reporting period by using the information received, wherein the report provides details on total personal usage information and total business usage information for the reporting period.

Joao describes an apparatus and method for providing insurance products, services and/or coverage which provides insurance coverage for protecting individuals and/or business entities from liability which may arise as the result of excess wear and tear and/or damage which may occur to a leased and/or rented entity during the lease and/or rental term, and for protecting individuals and/or business entities from liability for post-warranty repairs (column 2, lines 10-17). More particularly, Joao describes that the insurance coverage is provided based on data and/or information related to vehicle lease including vehicle year, model, components, repair cost, replacement costs, probability of damage, probability of post-warranty repairs necessitated by wear and tear, damage, malfunctioning components, and data and/or information related to individuals and/or business entities, by region, occupation including driving habits, leasing histories which an insurer may deem necessary and/or desirable in determining whether insurance should be offered to an individual and/or business entity.

However, Joao does not disclose or teach periodically soliciting from a client personal usage information and business usage information and periodically receiving and storing in a server the personal usage information and business usage information as recited in claim 1. Joao fails to teach or suggest the recited features because Joao's system and/or method is designed to determine the insurability of leased or rented equipment, i.e. to determine whether an insurer should provide an insurance product or service to the individual or business entity, based on the equipment information and information of an individual or business entity who leases or rents the equipment. On the other hand, the present invention is designed to periodically track down the different purposes of an individual or business entity's usage information of leased equipment, i.e. the usage information of the equipment for the personal use purpose and the usage information of the equipment for the business use purpose. One of the advantages of the present invention is that it allows one to efficiently keep track of taxable benefits to an individual and/or business entity. Another advantage of the present invention is that it allows a user to determine maintenance schedules and/or replacement schedules of the equipment based on the usage information, e.g. hours of use of the equipment. (see at least the Summary on pages 3-4 of the present application). Nowhere in Joao does it suggest or teach these recited features/advantages. Furthermore, there is no motivation in Joao to periodically solicit from a client personal usage information and business usage information for the equipment. Therefore, Applicant respectfully submits that claim 1 patentably distinguishes over Joao.

Independent claims 12, 18, 25 and 32 and the remaining dependent claims also recite the above discussed features. Thus, claims 2-36 are also patentable over Joao for at least the same reasons above.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application and a favorable response are respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-752-7367.

Respectfully submitted,

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Date: _____

April 20, 2004

By: _____

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